

January 11, 1999

RAC Meeting

Attendance - Carol Koerner, Marc Trimmer, Jim Melchior, Larry Nelson, Richard Rasmussen, Bill Jensen, Bob Gartner, Joe Satrom, Curt Johnson, Patricia Stockdill, Rod Landblom.

Agency representatives - Doug Burger, Steve Williams

The meeting began with a review of the agenda. Curt suggested moving all the weed topics together.

Guests were introduced: Mary Ramsey, BLM, Office Management Assistant; Don Ruffedt, BLM, Natural Resource Specialist; John Leppart, Department of Agriculture; Lynn Helms ND Industrial Commission (will be joining us for lunch)

A RAC data sheet was circulated for correcting.

Doug asked if there were any changes on last December's meeting notes. None were suggested.

Draft Oil and Gas Leasing and Operating Regulations - Doug reminded everyone that there will be a Satellite downlink at every BLM office on January 28th at 10:00 am MST. The Open House will include a question and answer period. Doug passed around a letter with all the information including the coordinates.

Marc Trimmer proposed a resolution to send out a request to extend the 120 day comment period for an additional 120 days. After group discussion, the RAC voted unanimously to adopt the resolution.

SD Land Exchange briefing - Tom Steger reported things are going well with the state exchange. Hazmat inventory still needs to be done. The title transfer should be completed by June or July, 1999.

City of Sturgis proposal for Ft. Meade - The proposal is essentially dead. Tom continues to meet with the mayor once a week or so. Tom plans to meet with the Congressionals to describe what we can and cannot do at Ft. Meade.

Belle Eldridge Cleanup - There was a public meeting held. Tom explained that the procedure used to develop a wetland would involve dissipating the heavy metals by a chemical means. Funding is available to do that. There has been no negative public comment on this. Waste rock will be removed by truck.

Moreau Weed Initiative - We applied for and received a grant last year regarding noxious weed control. Last year we did the GIS and GPS mapping and we've been able to educated the public. Larry Nelson commented that insects will be brought into the area as well. Larry also said we might discuss having Tom Malomir continue to do all the jobs he's currently doing. Tom S. said whether we get the funding or not it is a noble cause and we will continue to move forward with it. We probably won't know for a few months whether we have funding or not.

Weed Seed Free Hay Initiative in ND - This is set up to phase in over a three year period. Equine groups need to be notified we are starting this program. We are working to unify the signs and hay requirements. Part of the problem is finding suppliers. John Leppart from the Department of Agriculture

said they are setting up a system to certify the hay, which involves tagging the bales. One problem he's aware of is that the BLM and Dept. of Agriculture are not sharing their lists of names of people who have the hay available with each other. John suggested that we do so. Doug suggested a follow-up meeting with Steve, Doug and John. Curt also suggested that the names of hay suppliers be posted on the home pages of the various agencies.

Steve said some areas are allowing pelletized hay (MT is not). Doug questioned whether some agencies might have different requirements for weed seed free hay, straw and mulch. Jim M. said that from a mining standpoint there are no requirements. John said the Alliance Pipeline Project required them to use weed seed free straw throughout the project. Tom S. said that there is one individual certified in the entire state of SD.

Leafy Spurge Symposium in Medora - June 29 - July 1 - The idea is to raise the awareness of Leafy Spurge. They plan to give away 4 million bugs on the second day. A number of dignitaries have been invited to attend including: Dan Glickman, Al Gore, Tom Fry and Pat Shea. Doug will send the agenda out as soon as a draft is received. *RAC members are invited to attend the meeting.*

FS joining RAC - There was a pro and con list written on the white board:

Pro

- many issues overlap both agencies
- brings staff together to work with RAC members
- better use of RAC members time
- increases consistency between agencies and decisions
- increases public acceptance of decisions by using the RAC

Con

- only works if managers of both agencies want it to work
- increases number of issues RAC has to deal with
- some issues will only apply to one agency
- difficulty in maintaining a balance of issues so you don't deal with one agencies issues more than the other

A discussion on increasing the number of members on the Council to 15 ensued. Curt wondered if it will be more difficult to come to a consensus with more members. Doug mentioned that the charter is up for renewal so changes can be made this year. One issue we have to look at is the implications of changing the number of members. Rod asked if both secretaries had to approve of the appointments, since this has never been done all the way through with the technicalities strictly followed. At this point Babbitt is approving the one in Oregon. We would look at having the Council cover all of Region 1, and not the Black Hills (Region 2). Tom said the Black Hills would probably not want to be part of the RAC. Bob stated that overall the issue really is Land Management, and the Black Hills isn't that different. Richard

expressed concern that we would be taking on too much if the Black Hills were part of their responsibilities. Larry expressed that he was a little reluctant, he felt that we may run into problems if we split the state up.

Joe suggested that this council is a vast improvement over people choosing up sides in Washington.

Marc commented in favor of the FS joining the RAC. Doug said that this is a recharter year, and Steve has been involved since 1995. If we added one member per category, the FS could have significant involvement in choosing the members. Rod questioned bringing in other agencies such as Park Service, Game and Fish, etc. Marc felt that leap may be a bit much at this point, but perhaps we could invite representatives to sit in on meetings as Steve Williams has done.

The issue was restated to the RAC: do we want to recharter, and do we want to add the FS and go to 15 members. Curt suggested that we should find out if the FS wants to join in. When we recharter, and it is determined that the FS will be joining us, we need to indicate that the three new members be representatives who work a lot with FS issues. Joe Satrom moved that Doug continue as the Designated Federal Official under the BLMs new 2-tier organization. Motion carried unanimously. The group voted to approve of the FS joining the RAC if that is also the intent of the FS. Motion carried.

Rasmussen moved to change our charter to include an additional three members to be nominated by FS within Region 1, if the FS decides to join the RAC. Satrom seconded.

Pat was concerned about limiting the members to Region 1, closing the door too early. Steve commented that you make things more complicated if you don't limit it to Region 1. Tom suggested inviting Region 2 members on an ad hoc basis. Marc suggested we limit it to Dakota Prairie Grasslands. It was suggested that we wait to actually change the charter until we get notification from Region 1 that they want to join. A vote was taken on the Rasmussen motion. Motion carried.

The members addressed the quorum situation - it is easier to have a quorum with 15 members. Doug asked if the FS does not join the RAC, should the membership be increased to 15; which would be 4 in each of the three categories. The discussion centered on the concern that if 2 members were absent from any one category, all the other members would have traveled to a meeting that does not have a quorum. A motion was made by Marc to increase the membership to 15 regardless of whether the FS joins or not. Motion carried.

Resolutions: modification of process

Regulations are clear that the RAC will provide advice only to the Designated Federal Official. When the RAC develops a resolution, it will be sent to the DFO (ND Field Office Manager). The RAC can ask Doug to disseminate the resolution to parties they would like to see kept informed. In this event, the resolution would be put on RAC letterhead and attached to a BLM cover letter from Doug.

USFS Northern Great Plains Update

Steve Williams gave a briefing on the issue. Grassland plan revision draft to be released tentatively "this spring". There are seven major issues. Some of the issues include: plant & animal control, noxious weeds, rangeland health, livestock grazing, off road travel, community and lifestyle relationships, etc. The draft will deal with the alternatives that discuss all of these issues. There will be a 120 day review period/public comment period. RAC could easily read the draft plan, sit down, discuss it and send a letter to FS. The comments could range from no change (existing management) to recreation alternative

to special designations to other alternatives. Steve said a comment letter from the RAC would be useful to the FS. The FS will then take comments and rework the document to reflect what changes were needed. Tom asked if a copy of the draft would be supplied to each RAC member. Steve said that would be something they could do.

Doug wondered how involved the RAC members will be. Curt suggested that some members may be interested in reading portions of the documents in their area of interest. Then those members could report back to the RAC and the RAC could then send their opinion on to the FS team. FS is looking for new and constructive ideas concerning the issues addressed in the draft.

Doug suggested to have a subgroup in place in the event that the FS does join the RAC. Also the members of each category could funnel their comments to one member in their category and that one member would then head that groups comments.

Marc said he would take the lead for category 1 for this FS document, but would have to bow out of Off Road Vehicle.

Category 2 volunteer lead would be Richard.

Category 3 volunteer lead is Rod Landblom.

The subgroups will gather the information from each of the members of their categories. Will need to pick a date to be briefed by Steve.

For Discussion Purposes - Black tail prairie dog - The habitat area has been reduced by 90%. South Dakota and Wyoming are predominant states with healthy prairie dog towns. FS and tribes have the bulk of the lands that would be effected if a listing occurs. According to Bill J, the National Wildlife Federation is not supporting this. Bill suggested that we ask to be on the mailing list, when the review comes out, to be apprised of how this situation is progressing. We will take the RAC members names and addresses and send them to the Fish and Wildlife and ask them to be placed on the mailing list to be kept apprised of the Black Tail Prairie Dog issue.

OHV NOTES

Doug provided the Council a briefing using overheads. After the presentation he handed out a copy to each RAC member. Various members commented on some areas of the presentation.

BLM - OHV EIS

(refer to chart in transparency notes)

We are looking for a decision by Feb. of 2000. Curt asked if both BLM and FS could be represented at the meetings for consistency. Both agencies agreed. Bob Gartner suggested using aerial maps to establish existing trails. Bill mentions that there is a map for McKinzie County done by Kadrmas, Lee & Jackson.

Opportunities for Public Involvement Scoping Letter

Pat suggested that we may want to consider continuing to ask those on the lists throughout the process if they are still interested in receiving materials. This would ensure that those who indicated interest in the

beginning are still interested as the issue moves forward.

Intensive Use Areas - right now BLM has no Off Road Vehicle Intensive Use Areas in ND or SD. Proposal applies only to wheeled motorized vehicles (game carts would be excluded).

This issue will affect some hunters. The issue will have to be addressed with that in mind.

Bob Timmins from Game & Fish - The laws in North Dakota require individuals to stay on the established trail. The exception is retrieval of large game. To retrieve large game you must take the most direct route in and out. Land owners can be more restrictive (but not less), limiting additional trails that hunters are not allowed to use. Discussion needs to be brought up whether one federal law will address closure of roads and trails and close section lines. Jim said you have to get Road Authority approval. We need to address the issue of how section lines will be accessed? Doug stated that if there are no resource conflict, chances are we the agencies may not close a road or trail. Bob T. was wondering when this is all said and done, who will be enforcing it?

Fire Index is another restriction that can guide vehicle travel. Doug mentioned that BLM follows the states lead on closures.

Snowmobiles:

According to the briefing document, the issues with snowmobiles are somewhat different since it they don't spread weeds if deep snow exist or cause erosion. At this time the OHV EIS is not addressing them. It was questioned whether the USFS Northern Great Plains EIS is covering snowmobiles.

Activity Level Planning

Mapping

Put both FS & BLM transportation plan on one map?

Marc suggested adding Watford City to the meeting sites in an effort to keep the meetings consistent. Tom said he felt that the same would hold for Lemmon and Camp Crooke. Again to keep everything consistent in the informational meetings.

Briefings

Curt expressed that he would be attending the meetings with Tom in SD.

Public Meeting/Open Houses

Between Feb 22 and March 2

The following dates were picked:

Bowman Feb. 22 2 p.m.- 8 p.m. (MST)

Dickinson Feb 23 2 p.m.- 8 p.m. (MST)

Watford City Feb 24 4 p.m. - 8 p.m. (CST)

Mary will e-mail the location to RAC members regarding the location and if times change by COB Thursday.

Tom suggested adding Belle Fourche , Lemmon and Camp Crooke in SD

How do we get public involved?

Ideas for Publicizing meetings?

Doug will contact members of the media to provide information prior to a public meeting.

Steve presented how the OHV and Great Plains merges

(on the white board) OHV 1/99 ----- 2/00

FS in Dakotas is assuming that they're part of the BLM/FS OHV EIS. Right now the two processes are moving toward the same goal. The FS doesn't want to stop working on their plan while they wait for the other EIS to catch up. They want the proposals to remain as consistent as possible along the way.

It was brought up a number of times that there is a need to establish criteria to close roads and trails once we move into the Activity Planning stage (after completion of the EIS where travel is limited to existing roads and trails).

January 12, 1999

Doug passed out some OHV handouts, a question and answer handout and the OHV notes he used with the overhead.

The RAC reviewed the OHV material covered on Monday. Main concerns included the terms Existing and Designated roads, the OHV timeline, merging of FS and BLM documents, and the need to establish criteria to close roads and trails at the next planning level.

Another issue involves: Are we going to designate roads open or closed? The RAC unanimously favored the idea of signing only the roads to be closed due to the large number of roads that would likely remain open. The also want consistency in signing between the two agencies.

Joe Satrom provided comments on his "Goals for RAC Involvement in OHV Issue" - Provide a process for the RAC to advise BLM/FS on OHV with the following objectives:

- to define existing roads and trails and designated roads and trails and provide a rationale for continued and appropriate use, signing, mapping, enforcement, etc.

- to develop related rules and regulations (criteria) that provide for existing, appropriate uses by grazing leasees, resource developers, hunters, recreationists.

- to provide rules and regulations (criteria) that provide for enhanced protection of areas from further fragmentation because of OHV and other vehicular uses

(motorized and mountain bikes).

-to provide rules and regulations (criteria) that provides for a process for establishing new designated roads and trails.

-to provide rules and regulations (criteria) for removing (rehabilitating) an existing or designated road or trail.

Discussion followed regarding finding the best way to come up with definitions for existing roads and trails. Doug again asked, what this RAC wants to do. What role do they want to take?

Joe questioned whether the RAC members actually have a common set of goals in this issue.

Bill questioned signing the "open" roads. He brought up that in ND we now sign road we want closed.

Bill also brought up game retrieval. He suggested we need to bring the Game & Fish Department into this. There are guidelines that already exist concerning this. Bill suggested we bring in SD Game & Fish Dept representative, Ron Sieg. It was then brought up that we would need both North and South Dakota representatives.

Richard said he feels that the RAC is a year behind in involvement. Doug said we do have copies of what Miles City has done which will be available to the subcommittee that results from this meeting. (Doug gave the info out to the subcommittee members).

Jim feels that BLM should go ahead with the process. Let the RAC members go out and get opinions from the public and advise the BLM. Jim was concerned that he would be labeled a part of BLM if he actually ran the meeting. Tom asked if the RAC members were saying that they would rather refrain from attending the briefings and public meetings. Marc said there was a difference between open houses and public meetings.

SD meetings

(Mary will also e-mail SD locations to everyone)

Feb. 22 in Belle

Feb. 23 in Buffalo

Feb. 24 in Lemmon

RESOLUTION: Curt read the resolution out loud to the members:

Because there is not a side by side comparison, we are writing to request a 120 day extension of the comment period on the Proposed Rule to revise 43 CFR 3100 et al., Onshore Oil and Gas Leasing and Operations. While we recognize the BLM has already allowed 120 days for comment, due to the comprehensive nature of the Proposed Rule, coupled with the change to the "Plain English" format, the extended comment period is warranted.

Election of Chairman

Jim moved to vote Curt in as chairman for another year. Bob seconded. Motion carried.

The Chair appointed Pat, Joe and Jim as the OHV subgroup with their consent. Doug offered any administrative support that the sub-group may need. Doug reminded everyone that Don is the OHV lead in the ND BLM office.

Larry said he would be able to attend the Lemmon and Buffalo scoping meetings and Carol will attend the Belle Fourche meeting.

Doug asked for suggestions to help prepare for the open houses. Marc suggested visual aids such as an aerial maps from different decades. Press education up front and pictures.

Bob offered to sit down with the author of the article that appeared in the Rapid City Journal and work to have another article published.

Marc said he is going to rely on the subgroup to support the BLM in this effort.

4 terms expire in August 1999

Category 1 - Marc; Category 2 - Richard and Bill Jensen; Category 3 - Bill Keiry. Plus we are looking for three additional members, one in each category. If the FS joins us, they will play a large part in supplying names for the 3 additions - if not, we need to start looking for names.

Doug had one charter question. When we go to 15 the division between the states (ND and SD) will be uneven. Do we want the balance issue to be addressed in the charter?

The members agreed that neither state could have more than 9 members on the council.

Next meeting

Issues: OHV

Moreau Grazing

Date: July 19, 8-5 in Belle Fourche public comment period meet until noon on July 20 field trip at noon to Moreau Grazing w/Larry

It was brought up that we should invite Congressionals and the governors of the respective states to the RAC meetings

REMINDER: Let Region 2 FS members know when we are having a meeting and invite them to attend.



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July 19 - 20, 1999

RAC Meeting

8:00 a.m. Masonic Lodge in Buffalo, South Dakota

Attendance: Marc Trimmer, Rod Landblom, Bill Kiery, Pat Stockdill, Steve Williams, Chairman Curt Johnson, Carol Koerner, Jim Melchoir, Bob Gartner, Bill Jensen, Larry Nelson. Absent: Richard Rasmussen and Joe Satrom.

Guests: Mary Ramsey, BLM-Dickinson, Nancy Rime, Patrick Gubbins, BLM-Belle Fourche, William Cissell, Meade County Times-Tribune Editor, Steve Buchholz, Rapid City Journal, Glenn Hetzel, SD Dept of Agriculture-Pierre, Robert Haivala, Sturgis City Attorney and Harding County States Attorney.

Doug went over the chart data sheet. Introductions of RAC members. Mary Ramsey will help do the facilitating for the group today. Nancy Rime will be taking minutes.

Tuesday morning bring your mileage, etc....travel information back to Mary.

Field trip - Moreau Grazing Association - Largest BLM grazing permit in South Dakota. President of the Association will be coming to speak. Team Leafy Spurge has been doing some research in spurge control through the insect and spraying methods. We will need to be in 4-wheel drive vehicle units.

Dinner will be at Larry Nelson's home.

Additional agenda items: Oil and Gas Regulations and Update on the Bureau's policy on the Echinacea (Prairie Cone Flower) digging.

Correction: OHV - should be Jim Melchoir rather than Marc Trimmer.

South Dakota Land Exchange: Curt Johnson, Pat Gubbins and Chuck Berdan reviewed the exchange last week. One of the changes is the Sturgis Business by-pass. The by-pass hasn't been actually finalized as to where it is going to be placed. The by-pass would stay mainly on the State land and on the public land near the National Cemetery. This could affect the state land exchange. Curt is going to visit with the Governor's personnel to see where we are at. Chuck Berdan and Patrick will be meeting with the DOT on the by-pass issue. BLM and Curt have completed the lion's share of what is going on out there. Mr. Haivala stated he has only heard rumors of what is taking place out there. What we need is a written plan from the DOT. Mr. Haivala stated the city council has a meeting tonight and he would bring this issue to them to see where they stand.

City of Sturgis proposal for Ft. Meade -

Issue I - Patrick Gubbins attended the June 28th council meeting. BLM heard the city council had voted to look into acquiring public land in two different parcels - one for recreation purposes and the other for their waste disposal. The city has a secondary sanitary operation near public land. The city wanted 115 acres of public lands. There does not have to be a fee simple purchase because the city already have an easement. The BLM later found out they were looking at building a lagoon, and a filtration system on this 115 acres. Then BLM also heard the city would like to build an additional 3 ball fields. At this point

there are no plans in writing. Mr. Haivala, who represents the city of Sturgis' interest, discussed the land that the city owns. Ft. Meade is very good about letting the public through to Barry Stadium. However, there are a lot of concerns about the public continuing to travel through the Ft. Meade community to reach the Stadium. If they could purchase this property this would eliminate the problem. They are talking about 40 acres south of the current ball fields - everything up to the Highway. There are also discussions of the National Guard moving out there and several other issues on that property.

Issue II - Patrick Gubbins briefed the council on the Sturgis city sewer lines that run along the bike path. The city wanted to purchase the property along the bike path. Mr. Gubbins' stated they have an easement along there already. RAC's concern is the attitude of the council and how we are working with them now. It was suggested to get a map of the locations and find out what they want to use the land for. The BLM has done a plan which had gone out to the public for comment.

Belle Eldridge Cleanup - Patrick Gubbins briefed the council on the cleanup. The site has been found to be of historical significance. The money is in place to do the cleanup. This may take up to 2 years to complete. The BLM staff will be working with DENR on the cleanup process. This does have the governor's interest. We are on target and on schedule. The historical significance will be established through recording methods.

USFS Northern Great Plains Update - July 7, 1999, the USFS proposed draft of their Dakota Prairie Plan came out for public comment. 60% of the comments came from outside of the 5 state area. Sheyenne Grasslands - a lot of rare plants and prairie chickens are becoming an issue. What they have found is less than 4% of the rolling prairie is left in low structure. They are looking at conditions at the end of the grazing seasons. They are reintroducing areas of rest and increasing the use of fire (prescribed burn). The acres used for grazing under the old plan is the same for the new plan. They will not allowed mechanized vehicles in the National Grasslands Wilderness Area. The plan is looking at 2600 acres for Prairie Dogs. Back country non-motorized areas 122,000 acres - no vehicles will be allowed in these areas, except administrative activities. 22,000 acres of Research Natural Areas. In total, 15% of 1.2 million acres of the Dakota Prairie Plan is dedicated to non-motorized use. The remaining acreage is designated to use of existing trails and roads. The comment period, which began July 16, is 90 days.

Figure 4 Ranch and TAT - Doug Burger - The Three Affiliated Tribe of Fort Berthold purchased the Figure 4 Ranch. 95% of the Ranch is located in Dunn County with the remaining 5% in McKenzie (former Dean Meyers ranch). 4000 acres of BLM land is involved. 10,000 acres of private, 700 acres of State, 700 acres of Corp of Engineer. The current operator has until Sept 15 to be off of the property that TAT purchased. The grazing lease which was used by the previous owner was for cattle. The TAT had not contacted the BLM for a transfer of the grazing lease. On July 2, Tex Hall met with Doug - he wanted the public land to be declared as surplus lands. BLM can permit elk and bison; however, fencing for elk typically prevents the BLM from authorizing elk as livestock. Other concerns included the ND G&F Dept, and the ND Animal Dept. regarding their proposal. For big game farming, such as with elk, you need a higher fence. The problem is that if they fence off with an 8 1/2 foot fence the public could not gain access to the public lands. The sheep release area is approx. 5-10 miles from this area. The TAT wants the stocking for the elk and bison to be October 1.

Problems: 1) How are they going to sweep the animals off of this property? Where would they go? 2) If you fence this out, how will the public be able to get to the public lands? 3) The public lands are in a retention area.

Solutions: One member suggested fencing out the public lands for public use. The RAC suggested looking into the possibility of doing an exchange with lands within this retention area. There is feeling from Mr. Johnson that the BLM shouldn't do anything to jeopardize the use of this public land. Jim

Melchior would like the RAC to recommend an exchange of lands to the west of this operation. Jim Melchior moved for the RAC to send a letter to Doug Burger advising him to develop a plan to exchange BLM lands within the Figure 4 Ranch for private lands of equal value within the same retention area as the lands within the Figure 4 Ranch. Carol Koerner seconded. Motion carried unanimously.

Schnell Interstate Sign - We are looking at putting in signage to recognize the Schnell Recreation Area along the interstate at the Richardton exchange. Doug went to the State Highway Dept. proposing to put up signage however, they said we could have a triangular symbol representing camping on the services sign already in place. When the tent signs went in, usage did go up. It was suggested to write a letter to address the issue to the governor and Marshall Ward (DOT). Bill Jensen moved to write a letter to Doug Burger, BLM recommending Doug to write a letter to the North Dakota DOT, North Dakota Dept of Tourism, and the Governor's office requesting a new state road map that identifies the Little Missouri National Grasslands, Shenyenne National Grasslands, and camp sites. Further we ask that a sign be put up along the interstate that identifies the Schnell Recreation Area near Richardton.. Larry Nelson seconded. Patricia Stockdill and Bill Jensen will draw up a draft letter. Motion carried.

Echinacea (purple cone flower) - Patrick Gubbins. No commercial permits will be issued at all on public lands. Permits will be issued for personal use only after NEPA analysis. It was recommended to create a BLM and FS press release regarding regulations applying to the digging of purple coneflower.

Oil and Gas regulations - Marc Trimmer briefed the RAC on the most recent oil and gas regulations in plain English. He handed out a copy of the comments on the regulations to each member.

Day 2 - Tuesday, July 20, 1999

Doug thanked Larry Nelson for hosting the BBQ dinner Monday evening.

Attendance - Arvid Meland, Sturgis City Council, Steve Buchholz, Rapid City Journal, Glen Hetzel, SD Dept of Agriculture, Jerry Majerus - OHV.

Draft letter was read by Chairman Curt regarding Figure 4 Ranch letter to BLM. Members voted to accept the draft letter as written. Motion carried.

Draft letter regarding the Interstate signage and State map updates. Bill Jensen and Patricia Stockdill who are writing the letter asked for an extension to get a letter to the BLM. Once drafted they will fax or e-mail out to all RAC members for a vote.

Off Highway Vehicle Management - Jerry Majerus, BLM Coordinator for OHV from Lewistown, MT gave some background on the scoping situation, public commenting, etc. The project proposal is asking the public to stay on public roads and existing trails. 5.8 million acres are open to travelers with no restrictions. Proposal went out late January 1999 to the public. 35 open houses were held tri-state wide. 1400 people attended these open houses. The comment period was extended to May 31, 1999 another 60 days from original date. At this time, we received 3400 letters. Majority came from Montana. Did receive comments from 37 other states. The mailing went out to 14,000 people. He appreciated hearing from our RAC group. He discussed the four categories of the proposal and the comments on these categories.

Letters from ND and SD. A lot of the comments received from SD were not in favor of the proposal. Comments dealt with going from open unless posted closed or closed unless posted open. He did not

know where this was coming from because that is not part of our proposal from either agency. The issue of posting roads will be addressed at the next stage (activity level planning that will look at individual roads. He stated we need to look at what works for the local public. Did not receive as many comments from ND.

Jerry stated a letter to the public will be coming out clarifying what we have found from the proposal. The summary of public comments are available. OHV schedule - draft will be out in October, due to the extension of the public comment period. Draft will go out for a 90 day comment period. Open houses will be done again in November. BLM is hoping to have a final in March 2000. Publications will be available on our website: / - look for OHV project. This site will be updated.

Mr. Meland, Sturgis, stated we need to add snowmobiles to this. He continued stating they tear up the country too. Doug reassured him that we did discuss the snowmobile issue, however, it was not originally added to the EIS and to do so we would have to start over again with the whole process; therefore, it will not be addressed in this EIS.

We had 9 RAC members present at the ND/SD open houses. Jim Melchior mentioned we need to look at the section line access through the county authorities for access points. It is the solicitor's opinion that road closures are a complicated issue. 1866 a federal law - RS 2477: the FLPMA of 1976 repelled the RS2477. Discussed the usage on single trails (livestock and game) and 2 track trails where a 4-wheeler or jeep can run. Doug explained travel on section line roads, trails on section lines and no trails at all on section lines and the R-O-W for access purposes. Curt stated that many section lines are going to close in the state of SD because of the state regulations and for ease of access when building a road or trail, most of these will not fall on a section line. Question is does the BLM have the authority over the local authority. Doug stated that federal law would take precedence over state law.

In the case where private land is completely surrounded by federal, the BLM has to grant you reasonable access to the private land. Flip the situation around with public surrounded by private - how would the public get access to the public lands. This is the complicated part. BLM & USFS agrees that a section line is not a road for legal access unless there is a pre-existing road or 2 track trail.

The question is will the BLM have authority to ticket anyone who does off-road usage illegally. The USFS has given their staff training to issue citations. There is a difference between the two agencies when it comes to this authority. BLM employees, other than law enforcement personnel, do not have ticket authority.

Doug asked the RAC to encourage the public to attend the public comment meetings. Bill Kiery moved to continue the RAC OHV sub-committee. Marc Trimmer seconded. Motion carried. The subgroup can make some recommendations and comments after the next step - during the 90 comment period. It was suggested to hold the public open houses early enough in November and December so the subgroup can have their comments ready for the January RAC meeting to vote on in order to incorporate them into the final EIS. It has been requested to hold a public open house in the eastern side of each State; i.e. Pierre, Bismarck.

Implementation of this is the key when it comes to co-mingled land status.

Conservation enforcement in South Dakota can write tickets. Jerry said they are looking at game retrieval, off road camping and disability access.

Northern Great Plains EIS - Marc, Richard, and Rod sub-committee. Bob Gartner moved to continue the

sub-committee review of the North Great Plains EIS draft. Larry Nelson seconded. Motion carried.

The recommendation to increase the charter from 12 to 15 members has been sent to Washington. Doug has not heard back from them yet. It should be approved by August. When we meet in January we will have 3 new members plus other new members who will be replacing those whose terms expired in August.

Next meeting: January 10 & 11, 2000 in South Dakota. Starting at 8:00 a.m. both days. Agenda items: OHV, Northern Great Plains EIS subcommittee report, PILT, Prairie Dog Listing and the White Paper, Status of the Figure 4 Ranch, Update on the Schnell signage and tourism issue, update on the Sturgis issue and the state land exchange.

Chairman Curt Johnson thanked Bill Kiery and Bill Jensen for serving on the RAC team. Their term expires in August 1999.

No further business and the meeting was adjourned.



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